

J27VASHC

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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3 UNITED STATES OF AMERICA,

4 v.

18 CR 509 (GBD)

5 DIYORA ASHIROVA, ELVIN
6 BAGHIR-PUR, KIRILL DEDUSEV,
7 MIKHEIL INADZE, TENGIZ
8 KHUKHIASHVILI, YELENA
9 KUDAIBERGENOVA, MISHEL
LEVINSKI, IELYZAVETA NAZINA,
GOCHA PAPOSHVILI, KETEVAN
SEPIASHVILI, IGOR STASOVSKIY,
MAXIM SUVERIN,

10 Defendants.

CONFERENCE

11 -----x

12 New York, N.Y.
13 February 7, 2019
10:38 a.m.

14 Before:

15 HON. GEORGE B. DANIELS,

16 District Judge

17
18 APPEARANCES

19 GEOFFREY S. BERMAN,
20 United States Attorney for the
21 Southern District of New York
22 DANIEL G. NESSIM
EMILY A. JOHNSON
Assistant United States Attorneys

23 JAMES A. KILDUFF
24 Attorney for Defendant Ashirova

25 ARKADY BUKH
Attorney for Defendant Baghir-Pur

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APPEARANCES (continued)

CHANEL SOCHACKI

Attorney for Defendant Dedusev

STEVEN G. BRILL

Attorney for Defendant Inadze

JILL R. SHELLOW

Attorney for Defendant Khukhiashvili

JOHN N. IANNUZZI

Attorney for Defendant Kudaibergenova

TONY MIRVIS

Attorney for Defendant Levinski

CHASE S. RUDDY

Attorney for Defendant Nazina

ARNOLD J. LEVINE

Attorney for Defendant Paposhvili

NEIL B. CHECKMAN

Attorney for Defendant Sepiashvili

DAVID S. GREENFIELD

Attorney for Defendant Stasovskiy

ALEXANDER R. KLEIN

Attorney for Defendant Suverin

ALSO PRESENT: CHRISTINA FOX, FBI

PERI NOVICK, Intern (USAO)

LUBA SHAMSHINA, Interpreter (Russian)

KONSTANTIN GARNOV, Interpreter (Russian)

BEATRICE BOGATIREVA, Interpreter (Latin)

LASHA GEGECHKORI, Interpreter (Georgian)

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1 THE LAW CLERK: Calling 18 CR 509. The first set of
2 defendants that we'll be calling are:

3 Kirill Dedusev, Mikheil Inadze, Tengiz Khukhiashvili,
4 Ielyzaveta Nazina, Gocha Paposhvili, Ketevan Sepiashvili, Maxim
5 Suverin, Diyora Ashirova, Elvin Baghir-Pur, Yelena
6 Kudaibergenova, Mishel Levinski, and Igor Stasovskiy.

7 Sorry. Prosecution, can you please just state your
8 names for the record, followed by defense counsel.

9 MR. NESSIM: Good morning, your Honor.

10 Daniel Nessim, Emily Johnson, for the government.

11 Joining us at counsel table is FBI Special Agent
12 Christina Fox; and Peri Novick, an intern in our office.

13 THE COURT: Good morning.

14 Who do we have?

15 MS. SOCHACKI: Good morning, your Honor.

16 Chanel Sochacki, on behalf of Kirill Dedusev, who is
17 in the first row waiving at you.

18 THE COURT: Good morning.

19 MR. BRILL: Judge, good morning.

20 Sullivan & Brill, by Steven Brill, for Mikheil Inadze,
21 who's also in the first row right here closest to me.

22 THE COURT: Good morning, Mr. Brill.

23 MR. BRILL: Good morning to you.

24 MR. RUDDY: Good morning, your Honor.

25 Chase Ruddy. I'm appearing for Edward Sapone, for

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1 Ielyzaveta Nazina, who's in the back row on the furthest right.

2 THE COURT: Good morning.

3 MR. MIRVIS: Good morning, Judge.

4 Tony Mirvis, appearing on behalf of Mr. Levinski, who
5 is present in the second row.

6 THE COURT: Good morning.

7 MR. KILDUFF: Good morning, your Honor.

8 James Kilduff, appearing on behalf of Ms. Diyora
9 Ashirova, who is seated in the first row to the left of your
10 Honor.

11 THE COURT: Good morning.

12 MR. IANNUZZI: John Nicholas -- fully spelled out --
13 Iannuzzi, I-A-N-N-U-Z-Z-I, for Yelena Kudaibergenova, who is
14 sitting in the first row, sir.

15 THE COURT: Good morning, Mr. Iannuzzi.

16 MS. SHELLOW: Good morning, your Honor.

17 Jill Shellow, appearing for Tengiz Khukhiashvili, who
18 is seated in the first row, four seats from your Honor.

19 THE COURT: Good morning.

20 MR. MA: Good morning, Judge.

21 Richard Ma, appearing on behalf of Mr. Igor
22 Kalinitchev. Mr. Kalinitchev is seated behind me in the first
23 row.

24 THE COURT: Good morning.

25 MR. CHECKMAN: Good morning, your Honor.

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1 Neil Checkman, for Ketevan Sepiashvili, who is in the
2 second row in the middle.

3 THE COURT: Good morning.

4 MR. GREENFIELD: Good day, your Honor.

5 David Greenfield, for Mr. Stasovskiy, who's seated in
6 the first row.

7 THE COURT: Good morning.

8 MR. YANNELLA: Good day, your Honor.

9 Donald Yannella, for Farida Radjabova, who is in the
10 audience in the back row.

11 THE COURT: Good morning.

12 MR. KLEIN: Good morning, your Honor.

13 Alexander Klein from Barket Epstein, on behalf of
14 Maxim Suverin, sitting in the jury box.

15 THE COURT: Good morning, Mr. Klein.

16 MR. LEVINE: Good morning, your Honor.

17 Arnold Levine, for Gocha Paposhvili, who is the fourth
18 in the first row.

19 THE COURT: Okay. That's all the lawyers?

20 All right.

21 So let me start with the government.

22 What's the status from the government's --

23 MR. DAYAN: Judge, if I may put my appearance.

24 THE COURT: Oh, I'm sorry.

25 MR. DAYAN: Yes.

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1 Albert Dayan, for Ms. Jalolova. She's somewhere in
2 the audience.

3 THE COURT: I'm sorry.

4 MR. BUKH: Your Honor, Arkady Bukh, for Elvin
5 Baghir-Pur. I got two text messages; he's stuck in train.

6 THE COURT: Okay.

7 MS. MACEDONIO: Good morning, your Honor.

8 Elizabeth Macedonio for Mr. Degtev, who has not been
9 produced from the MDC.

10 THE COURT: The MDC?

11 MS. MACEDONIO: That's correct.

12 THE COURT: All right. Then we will second-call that.

13 MS. MACEDONIO: None of the defendants have been
14 produced to this building or to the Eastern District from the
15 MDC.

16 THE COURT: I know. And they are on their way.

17 MS. MACEDONIO: Okay.

18 THE COURT: So I'm just doing the MCC defendants that
19 are here.

20 MS. MACEDONIO: Is it okay if I leave and come back?

21 THE COURT: I hope they will be here within half an
22 hour.

23 MS. MACEDONIO: Very well. Thank you, Judge.

24 THE COURT: All right.

25 So all the defendants who are present are represented.

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1 All right. So let's start with the government.

2 What's the status from the government's perspective?

3 MR. NESSIM: Discovery has been produced. Images of
4 electronic devices are being produced on a rolling basis as
5 they become available and upon production of hard drives from
6 defense counsel.

7 I think from our perspective, given the size of the
8 case and the breadth of discovery, I'm not sure if defense
9 counsel have motions contemplated at this time. I think from
10 our perspective it might make sense to put this over another 90
11 days to allow discussions concerning possible dispositions and
12 to continue and allow counsel to continue reviewing discovery
13 and contemplate motions. That's all, of course, subject to
14 defense counsel and their inclination.

15 THE COURT: What if we schedule a conference for May
16 2nd at 10:30? If there are going to be dispositions, just
17 contact my chambers and we'll do whatever dispositions that are
18 ready before that day so we can start reducing the number.

19 But otherwise that will give the defense an
20 opportunity to review the discovery materials and then indicate
21 to me by that date whether or not there are going to be any
22 motions. And then we'll see where we go from there depending
23 on who appears on that day. So that would be Thursday, May 2nd
24 at 10:30.

25 So is there anything else that we need to address by

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1 the defense?

2 THE COURT: State your name for the record.

3 MR. DAYAN: Albert Dayan, D-A-Y-A-N.

4 I may have an application to the Court to modify bail
5 conditions. But before I do that, I would need to just confirm
6 with the government for a minute, if that's okay, Judge, if I
7 can.

8 THE COURT: You want to do that today or are you going
9 to give me a letter?

10 MR. DAYAN: I'd rather do it by letter actually.

11 THE COURT: All right. So why don't you do that.
12 Consult with the government. If you can come to terms, send me
13 a letter. If you agree, I'll so-order it. If there's some
14 dispute, I'll either bring you back in individually and we can
15 discuss it or I'll independently determine it.

16 MR. DAYAN: Thank you.

17 THE COURT: Anyone else from the defense?

18 Okay. Then anything further from the government?

19 MR. NESSIM: We would move to exclude time under the
20 speedy trial clock between today and May 2nd for the reasons
21 set forth on the record.

22 THE COURT: Any objection?

23 COUNSEL: No, your Honor.

24 THE COURT: Then I will exclude the time in the
25 interest of justice between now and May 2nd. We'll schedule it

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1 May 2nd at 10:30.

2 If there are any dispositions, as I said, to be done
3 before then, just contact me and we'll do those individually.
4 But otherwise we'll see you on May 2nd, whether there are going
5 to be motions or we should be talking about setting a trial
6 date.

7 All right? I'll see everyone on May 2nd.

8 COUNSEL: Thank you.

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